

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES)	
)	
V.)	No. 04-cr-10194-RCL
)	
ANTHONY BUCCI)	
_____)	

**AFFIDAVIT OF ANTHONY BUCCI IN SUPPORT OF MOTION TO
RECONSIDER SUPPRESSION OF ALL UNCOUNSELLED STATEMENTS**

I, Anthony Bucci, hereby depose and state, of my own personal knowledge, under pain and penalty of perjury, that:

- 1) At approximately 5:20 p.m., on May 20, 2004, while I was in front of my business, Hollywood Sun, at 1006 Eastern Avenue, Malden, MA., I was unlawfully assaulted and battered by DEA Agents and I am requesting an opportunity to testify about their excessive use of force and the other details of this affidavit at an evidentiary hearing prior to my trial testimony.
- 2) The Agents then put me into a mini-van, during transportation I clearly invoked my right to counsel immediately upon being advised of my Miranda rights.
- 3) I was brought into a Federal Building, taken upstairs in an elevator and brought into what appeared to be a large conference room with a smaller fingerprint room adjoining it. The first thing that happened was that I was taken into the smaller room and fingerprinted.

- 4) I was then brought back into the conference room which had a large oval shaped table in it and four Agents interrogated me.
- 5) Again, immediately upon being advised on my Miranda rights I invoked my Fifth and Sixth Amendment right to counsel by stating “I have nothing to say, I want to talk to an Attorney.” I recall signing a form invoking my right to remain silent which indicated I requested an Attorney prior to questioning.
- 6) An Agent then said, “Well, don’t you want to know what you’re being charged with ?” and I affirmatively responded, “yes”. That Agent then told me that I was being charged with David Jordan, Jon Minotti and Francis Muolo for conspiring to rob Carlos Ruiz.
- 7) Another Agent contemporaneously threatened me by stating, “you know you’re going to go away for a long time. Your son’s going to be in college before you get out”, and then asked me, “why don’t you try to clear some of these charges up by telling us what happened ?”
- 8) I believe the Agents then included false statements in their reports and I have requested my Attorney, Michael Natola, place all four Agents on the witness stand at an evidentiary hearing or trial voir dire to clear up false portions of their report. I have also requested my Attorney obtain a copy of the form I signed in the Federal Building at the time I invoked my right to counsel and file it as an exhibit corroborating my testimony and this affidavit

February 14, 2006

Anthony Bucci

Anthony Bucci
By his attorney,

February 14, 2006

/s/ Michael F. Natola
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing motion has been served the above date, electronically and by first class mail, upon Assistant U.S. Attorney John T. McNeil.

/s/ Michael F. Natola
MICHAEL F. NATOLA